## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

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JULIA C. D BY: DEPU	VO.	CLERK

CHARLES JERALL SMITH	) CIVIL ACTION NO. 7:11CV00230
Plaintiff,	) ) ) FINAL ORDER
vs.	)
J. TURNER, et al.,	) By: Samuel G. Wilson ) United States District Judge
Defendants.	)

In accordance with the accompanying memorandum opinion, it is now **ORDERED** and **ADJUDGED** as follows:

- 1. Smith's motions for appointment of counsel (ECF Nos. 5 & 17) are **DENIED**, and;
- 2. Smith's motion for discovery, (ECF No. 4), is **DISMISSED** as moot.
- 3. This action is **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B) and **STRICKEN** from the active docket.
- 4. All state law claims are **DISMISSED** pursuant to 28 U.S.C. § 1367(c).

The clerk is directed to send a copy of this order and the accompanying memorandum opinion to Smith.

**ENTER**: August 2, 2011.

UNITED STATES DISTRICT JUDGE